



DAL #9

July 7, 2003

Request to Stop Petition
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313

Dear Sir/Madam

Sub: 37CFR1.137(b) Renewed Petition

Title: Tire Pressure Monitor System
Filed: Feb. 12, 2002
Inventor(s): Knox et al

S. No. 10/073,575
Examiner: Andre J. Allen
Assignee: Airco Inc.

The applicants hereby request reconsideration of the petition dated April 14, 2003 declined by the Office of Petitions on June 6, 2003 and to revive the above referenced pending patent application, which was unintentionally abandoned. As counsel for inventors and their assignee Airco Inc. a Florida corporation, I can affirm under penalties of perjury that the entire delay in filing the attached reply from the date due for the reply to the office action dated Aug. 27, 2002 to date was unintentional.

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment or both under 18 USC 1001 and that such willful false statement may jeopardize the validity of this document, declared that as counsel for inventors and assignee Airco Inc. I am properly authorized to execute this document on behalf of their behalf; and all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true.

The fee for the petition has already been paid. Further any deficiency in this fee may be charged to my account number 01-2538 account. The assignee Airco Inc. also qualifies as Small Entity. The assignment has not yet been recorded. A duplicate copy of this request is also enclosed.

Thank you and with best regards.

SPA/raj

Sincerely
Your PAL


ASIJA
27,113

Copy: 1. Inventor Lewis Lee Knox
2. Assignee Airco Inc.

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
WWW.USPTO.GOV



Paper No. 8

OUR PAL ASIJA
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7 WOONSOCKET AVENUE
SHELTON, CT 06484-5536

COPY MAILED

JUN 06 2003

In re Application of :
Knox et al : OFFICE OF PETITIONS
Application No. 10/073,575 :
Filed: February 12, 2002 : ON PETITION
Attorney Docket No. :

This is a decision on the petition under 37 CFR 1.137(b), filed April 14, 2003, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." No additional fee is required with any renewed petition. Petitioner is advised that this is **not** a final agency action decision.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed August 27, 2002, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on November 28, 2002.

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by: (1) the required reply (unless previously filed), which may met by the filing of a continuing application in a nonprovisional application abandoned for failure to prosecute, but must be the payment of the issue fee or any outstanding balance thereof in an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing

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of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)). This petition lacks item (1) above.

A petition to revive cannot be granted where there is an outstanding requirement. In the instant case, there was no response to the outstanding official action submitted. Accordingly, the petition to revive cannot be granted until such time as the outstanding response requirement is received.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. If the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.


Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: Crystal Plaza Four, Suite 3C23
2201 South Clark Place
Arlington, VA 22202

By fax: (703) 308-6916
Attn: Office of Petitions

Telephone inquiries concerning this decision should be directed to Wan Laymon at (703) 306-5685.


Wan Laymon
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy